THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16166 OF 2007

DATED 30th JULY, 2007

BETWEEN:

Reddem Raghunath Reddy

… Petitioner

AND

The District Collector, Guntur, Guntur District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16166 OF 2007

ORDER:

The petitioner is a Journalist (He does not mention to which news agency or newspaper or journal he is accredited). He is aggrieved by the decision of first respondent according permission to Mandal Revenue Officer (MRO) to alienate land to Accredited Journalists in survey No.221/6A3A of Adavitakkellapadu village as per the terms laid down in BSO No.24. He filed the instant writ petition seeking a declaration that such action of first respondent is illegal and arbitrary and contrary to the G.O., issued by Government being G.O.Ms.No.436, dated 12.04.2006.

Accredited Journalists of Guntur District requested first respondent to alienate the land admeasuring Acs.3.30 in survey Nos.221/6A3A situated at Adavitakkellapadu village in favour of 53 Accredited Journalists at a market value of Rs.103 per square yard in addition to the journalists who are already given the lands. The District Collector accordingly sent proposals vide letter No.1627/04/E2, dated 18.11.2004. The same was recommended by Chief Commissioner of Land Administration in February and September, 2005. Considering the same, the Government accorded sanction and directed that the Government land admeasuring Acs.3.30 in Adavitakkellapadu village is alienated (Acs.0.03 each) in favour of 53 Accredited Journalists @ Rs.150 per square yard. Orders are accordingly issued in G.O.Ms.No.436, dated 12.04.2006. Pursuant to the said G.O., District Collector issued proceedings under Rc.No.1627/2004/E2, dated 29.04.2006 directing third respondent to alienate the land to 62 Accredited Journalists as per the list appended thereto. The petitioner is one of them. The petitioner alleges that the allotment of land itself is irregular. Again on a request made by Ms.Guduri Ashok Kumar, Benerjinath and two others, District Collector considered their cases and by proceedings, dated 17.10.2006 directed third respondent to alienate the land. Similar proceeding was also issued again by first respondent vide proceedings in Rc.No.1627/04/E2, dated 24.02.2007 directing the MRO to alienate the land in favour of six Journalists.

Learned counsel for petitioner submits that initially the Government accorded permission to alienate the land only to 53 Journalists, and therefore, the subsequent orders of the District Collector allotting plots to 18 more Journalists is contrary to Government orders and illegal. The writ petition is opposed by

learned Assistant Government Pleader for Revenue (General-A). He submits that the petitioner has no right to file writ petition and it is for the Government to take into consideration the availability of land and eligibility of Journalists to allot the land and petitioner cannot have any grievance.

There is no dispute that petitioner is one of the beneficiaries when the Government issued G.O.Ms.No.436, dated 12.04.2006, which was followed by proceedings of the District Collector, dated 29.04.2006. Subsequently, the Government issued proceedings in October, 2006 directing the MRO to alienate land to three persons. The petitioner did not raise any objection, presumably because he was already given three cents of land. When the District Collector issued proceedings on 24.02.2007 to alienate the land to six more Journalists, the District Collector was aware of the report of MRO that still an extent of Acs.0.40 of land is available in the North West corner of existing land. This only shows that District Collector considered all aspects of the matter. Secondly, initially when proposals were muted for alienating the land to Journalists, the purpose was to see that all Accredited Journalists would get land for constructing houses. If the land is available and the same is allotted subsequently to those Journalists, whose names are included in the list of beneficiaries, the same cannot be faulted on the ground that they were not in the list of Journalists submitted to the Government or Chief Commissioner of Land Administration. By subsequent alienations, the right of petitioner is in no way affected. The petitioner cannot be said to have an aggrieved person.

The writ petition is devoid of any merit and is accordingly dismissed. No costs.

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(V.V.S.RAO,J)

30.07.2007.
pln